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10/624,442

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Brian D. Morrison

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EXAMINER

VO, HIEN XUAN

ART UNIT

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2863

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/624,442

Applicant(s)

MORRISON ET AL.

Examiner

Hien X. Vo

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20, 22-25 and 27-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-25 and 27-35 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 16 objected to because of the following informalities: the claim is incompleted and not ending by the period.

The claims 21 and 26 are missing. Appropriate correction is required.

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-20, 22-25, 27-35 rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-33 of U.S. Patent No. 6,600,972.

Application Ser. No. 10/624,442

Patent No. 6,600,972

1. A system comprising:
an electro-statically shielded enclosure,
at least one processor external to the enclosure,
at least one processor disposed in the enclosure, and,
at least one dielectric media to couple the at least one processor
external to the enclosure and the at least one processor disposed
in the enclosure.

2. A system according to claim 1, further including:
at least one energy source external to the enclosure,
at least one power supply disposed in the enclosure,
at least one dielectric media to couple the energy source external
to the enclosure and the at least one power supply disposed in
the enclosure.

3. A system according to claim 2, wherein the at least one power
supply disposed in the enclosure is in communications with the at
least one processor disposed in the enclosure.

4. A system according to claim 2, wherein the at least one energy
source is a laser.

5. A system according to claim 2, wherein the at least one power
supply disposed in the enclosure is a laser energy power
converter.

6. A system according to claim 2, wherein the at least one
dielectric media to couple the at least one energy source external
to the enclosure and the at least one power supply disposed in
the enclosure includes a fiber optic cable.

7. A system according to claim 1, wherein the at least one
dielectric media to couple the at least one processor external to
the enclosure and the at least one processor disposed in the
enclosure includes a fiber optic cable.

8. A system according to claim 1, wherein the at least one
processor disposed in the enclosure includes at least one of a
media access controller, a network processor, and an applications
processor.

9. A system according to claim 1, further including a transceiver
disposed in the enclosure, the transceiver in communications with
the at least one processor disposed in the enclosure.

10. A system according to claim 1, further including at least one
photo-diode to interface between the at least one processor
external to the enclosure and the at least one processor disposed
in the enclosure.

11. A system according to claim 2, further including a power
monitor disposed in the enclosure, the power monitor in
communications with the at least one processor disposed in the
enclosure, and the power monitor in communications with the
power supply disposed in the enclosure.

12. A system according to claim 1, further including a first
connector and a second connector, wherein the first connector
and the second connector are mated, and wherein the first

1. A system comprising:
an electro-statically shielded enclosure,
at least one processor external to the enclosure,
at least one processor disposed in the enclosure, and,
at least one dielectric media to couple the at least one
processor external to the enclosure and the at least one
processor disposed in the enclosure.

2. A system according to claim 1, further including:
at least one energy source external to the enclosure,
at least one power supply disposed in the enclosure,
at least one dielectric media to couple the energy source
external to the enclosure and the at least one power supply
disposed in the enclosure.

3. A system according to claim 2, wherein the at least one
power supply disposed in the enclosure is in communications
with the at least one processor disposed in the enclosure.

4. A system according to claim 2, wherein the at least one
energy source is a laser.

5. A system according to claim 2, wherein the at least one
power supply disposed in the enclosure is a laser energy
power converter.

6. A system according to claim 2, wherein the at least one
dielectric media to couple the at least one energy source
external to the enclosure and the at least one power supply
disposed in the enclosure includes a fiber optic cable.

11. A system according to claim 1, wherein the at least on
electric media to couple the at least one processor external to
the enclosure and the at least one processor disposed in the
enclosure includes a fiber optic cable.

8. A system according to claim 1, wherein the at least one
processor disposed in the enclosure includes at least one of a
media access controller, a network processor, and an
applications processor.

9. A system according to claim 1, further including a
transceiver disposed in the enclosure, the transceiver in
communications with the at least one processor disposed in
the enclosure.

10. A system according to claim 1, further including at least
one photo-diode to interface between the at least one
processor external to the enclosure and the at least one
processor disposed in the enclosure.

7. A system according to claim 2, further including a power
monitor disposed in the enclosure, the power monitor in
communications with the at least one processor disposed in
the enclosure, and the power monitor in communications with
the power supply disposed in the enclosure.

12. A system according to claim 1, further including a first
connector and a second connector, wherein the first connector
and the second connector are mated, and wherein the first
connector is mated to the enclosure, and the second

connector is mounted to the enclosure, and the second connector is mounted external to the enclosure to provide an electrical connection to a sensor.

13. A system according to claim 12, wherein the second connector is mounted to a fuel tank, and the sensor is a fuel sensor.

14. A system according to claim 12, wherein the first connector is in communications with the at least one processor disposed in the enclosure.

15. A system for measuring fuel, the system comprising: an electro-statically shielded enclosure, at least one processor disposed in the enclosure, a fuel tank, and, a fuel sensor in communications with the fuel tank and the at least one processor disposed in the enclosure.

16. A system according to claim 15, further including: a first connector mounted to the enclosure and in communications with the at least one processor disposed in the enclosure, and, a second connector mounted to the fuel tank, the second connector mated to the first connector, the second connector in communications with the fuel sensor, and,

17. A system according to claim 15, wherein the fuel tank is an aluminum fuel tank.

18. A system according to claim 15, wherein the fuel sensor includes a variable capacitance transducer.

19. A system according to claim 15, further including at least one power supply disposed in the enclosure.

20. A system according to claim 15, further including a signal conversion device to accept an input from the first connector and provide an output to the at least one processor disposed in the enclosure.

22. A system according to claim 15, further including: at least one processor external to the enclosure, and, at least one dielectric media to couple the processor external to the enclosure and the at least one processor disposed in the enclosure.

23. A system according to claim 15, further including: at least one energy source external to the enclosure, at least one power supply disposed in the enclosure, at least one dielectric media to couple the at least one energy source external to the enclosure and the at least one power supply disposed in the enclosure.

24. A system according to claim 23, wherein the energy source is a laser.

25. A system according to claim 23, wherein the at least one power supply disposed in the enclosure is a laser energy power converter.

27. A system according to claim 23, wherein the at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure includes a fiber optic cable.

28. A system according to claim 22, wherein the at least one

connector is mounted external to the enclosure to provide an electrical connection to a sensor.

13. A system according to claim 12, wherein the second connector is mounted to a fuel tank, and the sensor is a fuel sensor.

14. A system according to claim 12, wherein the first connector is in communications with the at least one processor disposed in the enclosure.

15. A system for measuring fuel, the system comprising: an electro-statically shielded enclosure, at least one processor disposed in the enclosure, a fuel tank, and, a fuel sensor in communications with the fuel tank and the at least one processor disposed in the enclosure.

16. A system according to claim 15, further including: a first connector mounted to the enclosure and in communications with the at least one processor disposed in the enclosure, and, a second connector mounted to the fuel tank, the second connector mated to the first connector, the second connector in communications with the fuel sensor.

20. A system according to claim 15, wherein the fuel tank is an aluminum fuel tank.

18. A system according to claim 15, wherein the fuel sensor includes a variable capacitance transducer.

19. A system according to claim 15, further including at least one power supply disposed in the enclosure.

17. A system according to claim 16, further including a signal conversion device to accept an input from the first connector and provide an output to the at least one processor disposed in the enclosure.

26. A system according to claim 15, further including: at least one processor external to the enclosure, and, at least one dielectric media to couple the processor external to the enclosure and the at least one processor disposed in the enclosure.

22. A system according to claim 15, further including: at least one energy source external to the enclosure, at least one power supply disposed in the enclosure, at least one dielectric media to couple the at least one energy source external to the enclosure and the at least one power supply disposed in the enclosure.

23. A system according to claim 22, wherein the energy source is a laser.

24. A system according to claim 22, wherein the at least one power supply disposed in the enclosure is a laser energy power converter.

25. A system according to claim 22, wherein the at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure includes a fiber optic cable.

27. A system according to claim 21, wherein the at least one dielectric media to couple the at least one processor and the at

<p>dielectric media to couple the at least one processor and the at least one processor disposed in the enclosure includes a fiber optic cable.</p> <p>29. A system according to claim 15, wherein the enclosure is mounted to the fuel tank.</p> <p>30. A method for providing a measurement from a fuel tank, the method comprising: providing an electro-statically shielded enclosure including at least one processor disposed in the enclosure, providing at least one processor external to the enclosure, providing a fuel tank sensor in communications with the fuel tank and the at least one processor disposed in the enclosure, and, providing at least one dielectric media to couple the at least one processor external to the enclosure and the at least one processor disposed in the enclosure.</p> <p>31. A method according to claim 30, further including: providing at least one energy source external to the enclosure, providing at least one power supply disposed in the enclosure, the at least one power supply in communications with the at least one processor disposed in the enclosure, and, providing at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure.</p> <p>32. A method according to claim 30, wherein providing at least one dielectric media to couple the at least one processor external to the enclosure and the at least one processor disposed in the enclosure includes providing a fiber optic cable.</p> <p>33. A method according to claim 31, wherein providing at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure includes providing a fiber optic cable.</p> <p>34. A method according to claim 30, wherein providing a fuel tank sensor in communications with the fuel tank and the at least one processor disposed in the enclosure, includes: providing a first connector mounted to the enclosure and in communications with the at least one processor disposed in the enclosure, providing a second connector mounted to the fuel tank, the second connector in communications with the fuel tank sensor and the second connector mated to the first connector.</p> <p>35. A method according to claim 31, further including providing a power monitor in communications with the at least one power supply and the at least one processor disposed in the enclosure.</p>	<p>least one processor disposed in the enclosure includes a fiber optic cable.</p> <p>21. A system according to claim 15, wherein the enclosure is mounted to the fuel tank.</p> <p>28. A method for providing a measurement from a fuel tank, the method comprising: providing an electro-statically shielded enclosure including at least one processor disposed in the enclosure, providing at least one processor external to the enclosure, providing a fuel tank sensor in communications with the fuel tank and the at least one processor disposed in the enclosure, and, providing at least one dielectric media to couple the at least one processor external to the enclosure and the at least one processor disposed in the enclosure.</p> <p>29. A method according to claim 28, further including: providing at least one energy source external to the enclosure, providing at least one power supply disposed in the enclosure, the at least one power supply in communications with the at least one processor disposed in the enclosure, and, providing at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure.</p> <p>33. A method according to claim 28, wherein providing at least one dielectric media to couple the at least one processor external to the enclosure and the at least one processor disposed in the enclosure includes providing a fiber optic cable.</p> <p>30. A method according to claim 29, wherein providing at least one dielectric media to couple the at least one energy source and the at least one power supply disposed in the enclosure includes providing a fiber optic cable.</p> <p>32. A method according to claim 28, wherein providing a fuel tank sensor in communications with the fuel tank and the at least one processor disposed in the enclosure, includes: providing a first connector mounted to the enclosure and in communications with the at least one processor disposed in the enclosure, providing a second connector mounted to the fuel tank, the second connector in communications with the fuel tank sensor and the second connector mated to the first connector.</p> <p>31. A method according to claim 29, further including providing a power monitor in communications with the at least one power supply and the at least one processor disposed in the enclosure.</p>
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Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hien X. Vo whose telephone number is (571) 272-2282. The examiner can normally be reached on M-F (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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01/09/08


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